



**Request for City Council Committee Action
From the Department of Public Works**

Date: March 25, 2003
To: Honorable Sandra Colvin Roy, Chair Transportation and Public Works Committee

Subject: 1. 38th Street East Reconstruction Project, Special Improvement of Existing Street Number 6698: Designation, Cost Estimate, List of Benefited Properties, Apply 2003 Uniform Assessment Rates and Set Public Hearings
2. Set Public Hearing for Abandonment and Removal of Areaways in Conflict with Street Reconstruction Project

Recommendation: 1(a). Passage of a Resolution designating the location, streets and improvements proposed to be made in the 38th Street East Reconstruction Project.

This Resolution may be authorized for summary publication.

1(b). Adoption of a Committee Report receiving the cost estimate of \$ 2,711,000 and the list of benefited properties, directing the City Engineer to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2003 Uniform Assessment Rates and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held on May 6, 2003 before the Transportation and Public Works Committee.

2. Setting a public hearing to be held on May 6, 2003 before the Transportation and Public Works Committee to consider the abandonment and removal of areaways in conflict with the street construction project and directing staff to give notice in accordance with the provisions of Section 95.90 of the Minneapolis Code of Ordinances.

Previous Directives: none

Prepared by: Suzette R. Hjermstad, Public Works, Special Assessments Dept., 673-2401

Approved by: Klara A. Fabry, Director of Public Works

Richard H. Smith, Assistant Director, Public Works

Presenters: Elizabeth Stiffler, Project Engineer and Suzette R. Hjermstad, RE Investigator II

Financial Impact (Check those that apply)

☒ No financial impact - or - Action is within current department budget.

(If checked, go directly to Background/Supporting Information)

☐ Action requires an appropriation increase to the Capital Budget

☐ Action requires an appropriation increase to the Operating Budget

☐ Action provides increased revenue for appropriation increase

☐ Action requires use of contingency or reserves

☒ Other financial impact (Explain): Special assessment against benefited property

owners

☐ Request provided to the Budget Office when provided to the Committee Coordinator

Background/Supporting Information:

38th Street East Reconstruction Project

The purpose of this letter is to designate the location, streets and improvements, establish the special assessment improvement proceedings for street reconstruction.

The location of the street reconstruction project is 38th Street East from 23rd Avenue South to 30th Avenue South. Thirty-eighth Street East at this location is Minnesota State Aid Route No. 253.

As provided in Chapter 10, Section 6 of the City Charter, submitted herewith is a list of parcels with owner's names, as nearly as can be readily ascertained, which would be benefited by and assessed for the 38th Street East Reconstruction Project.

Also submitted is a cost estimate of \$2,711,000 for the 38th Street East Reconstruction Project.

The street reconstruction special assessments would be determined by applying the 2003 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The 2003 reconstruction assessment rates are as follows:

\$1.10/sq ft – Local – Non-Residential

\$1.10/sq ft – Other – Non-Residential

\$0.44/sq ft – Local – Residential

\$0.35/sq ft – Other – Residential

Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. It is our recommendation that this areaway public hearing be held in conjunction with the 38th Street East reconstruction public hearing. Prior to the areaway public hearing notices being given, the City Engineer will have provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment 1 – Project Map
2 - Resolution
3 – Committee Report

Cc: Jack Qvale, Secretary, Board of Estimate and Taxation

T&PW – Your Committee recommends passage of the accompanying Resolution and its accompanying Committee Report designating the location and streets to be improved in the 38th Street East Reconstruction Project, Special Improvement of Existing Street Number 6698.

Your Committee further recommends summary publication of the above-described Resolution.

Colvin Roy

**Thirty-Eighth Street East Reconstruction Project,
Special Improvement of Existing Street Number 6698**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by the City Council of the City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provision of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

38th St E (6698)

38th Street East from 23rd Avenue South to 30th Avenue South.

T&PW - Your Committee, having received a cost estimate of \$ 2,711,000 for street reconstruction improvements and a list of benefited properties for the 38th Street East Reconstruction Project, Special Improvement of Existing Street Number 6698, as designated by Resolution 2003R-_____, passed _____, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2003 Uniform Assessment Rates as per Resolution 2002R-422 passed November 8, 2002.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 6, 2003, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated project and to consider the amount of proposed to be assessed to each benefited property and the amount to be funded by the City.